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Ltd.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ATS Automation Tooling Systems, Inc. and  
Thermal Form & Function, LLC,

Plaintiffs,

v.

Foxconn Electronics, Inc., Foxconn  
Technology Co., Ltd., Hon Hai Precision  
Industry Co. Ltd., and DOES 2 through 10

Defendants.

**Case No. C03-2648 PJH**

**STIPULATED DISMISSAL**

1 WHEREAS Thermal Form & Function, LLC ("TF&F") and ATS Automation Tooling  
2 Systems, Inc. ("ATS") (collectively "Plaintiffs"), and Foxconn Electronics, Inc., Foxconn  
3 Technology Co. Ltd., and Hon Hai Precision Industry Co., Ltd. (collectively "Foxconn"), as  
4 indicated by the signatures of counsel appearing below, have agreed to the dismissal of this action  
5 pursuant to Rule 41 of the Federal Rules of Civil Procedure but subject to the terms of this Order  
6 and a Confidential Settlement Agreement and Release of Claims ("Settlement Agreement") dated  
7 August 31, 2005.

8 NOW, THEREFORE, it is ordered as follows:

9 1. The claims by TF&F are hereby dismissed with prejudice to the extent indicated in the  
10 Settlement Agreement; and

11 2. The claims by ATS are hereby dismissed with prejudice; and

12 3. The counterclaims by Foxconn are hereby dismissed with prejudice to the extent  
13 indicated in the Settlement Agreement; and

14 4. Each party shall bear its own costs and attorneys fees; and

15 5. After October 17, 2005, but no later than November 1, 2005, the Court shall vacate  
16 this dismissal, upon the representation by any party that the consideration in the Settlement  
17 Agreement has not been paid as required; and

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6. Notwithstanding this Stipulated Dismissal, Foxconn reserves the right to assert any and all claims or defenses of noninfringement and invalidity with respect to U.S. Patent No. 5,494,098 in any future legal proceeding or action, including, without limitation, in any subsequent action brought by TF&F or its licensee(s).

STIPULATED AND AGREED

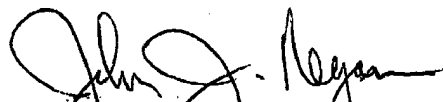
Dated: August 31, 2005

ATS AUTOMATION TOOLING  
SYSTEMS, INC. and  
THERMAL FORM & FUNCTION, LLC

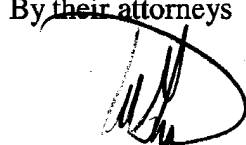
FOXCONN ELECTRONICS, INC.,  
FOXCONN TECHNOLOGY CO., LTD., and  
HON HAI PRECISION INDUSTRY CO. LTD.

By their attorneys

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IT IS SO ORDERED.

Dated: August 31, 2005

  
United States District Judge